



1-30-06

IFW/AS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:

JACKSON et al.

Serial No.: 10/688,216

Filed: October 15, 2003

Atty. File No.: 4770-37

For: "AUTOMATED EXCAVATION MACHINE"

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

) Group Art Unit: 3673

) Examiner: SINGH, SUNIL

) RESPONSE TO RESTRICTION  
) REQUIREMENT

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TYPED OR PRINTED NAME: Barbara Tyndall  
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Dear Sir:

In an Office Action dated November 2, 2005, the Examiner issued a Restriction Requirement with regard to the above-identified patent application. Generally, the Examiner indicated that Claims 1-38 and 60-64 (Group I), Claims 35, 40, 42-43 and 65 (Group II), Claims 44-46 (Group III), Claims 47-52 (Group IV), Claims 53-56 (Group V), Claims 57-59 (Group VI) and Claims 67-74 (Group VII) were distinct inventions. Applicants hereby elect to prosecute Claims 1-38 and 60-64 (Group I) in this patent application. However, Applicants respectfully reserve the right to pursue Claims 39-59 and 65-74 in a subsequent divisional/continuation application.

Respectfully submitted,

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Date: Jan. 26, 2006